

NOTICE PUBLICATION/REGULATIONS SUBMISSION

CERT

(See instructions on reverse)


For use by Secretary of State only

STD. 400 (REV. 01-2013)

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|----------------------------------------------------|--------------------------------------|-------------------------------------------|------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z-2013-0625-04 | REGULATORY ACTION NUMBER 2013-0828-04C | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only | | | |
| NOTICE | | REGULATIONS | |

ENDORSED FILED
IN THE OFFICE OF

2012 OCT -7 PM 3:42


 DEBRA BOWEN
 SECRETARY OF STATE

 AGENCY WITH RULEMAKING AUTHORITY
 California Pollution Control Financing Authority

AGENCY FILE NUMBER (if any)

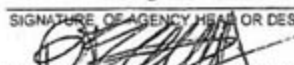
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| | | | | |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------|-------------------------------|
| 1. SUBJECT OF NOTICE | | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) |
| OAL USE ONLY | ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | | NOTICE REGISTER NUMBER 2013 272 | PUBLICATION DATE 7/5/2013 |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 1a. SUBJECT OF REGULATION(S) CPCFA Bond Financing Program - Equipment Only Financing Program | | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2013-0329-01E; 2013-0625-03 | |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related) | | | |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | ADOPT Title 4, Division 11, Article 3, Section 8035.5 ^{per agency request} | | |
| | AMEND | | |
| | REPEAL | | |
| 3. TYPE OF FILING | | | |
| <input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only | | | |
| 4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) | | | |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____ | | | |
| 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____ | | | |
| 7. CONTACT PERSON Andrea Gonzalez | | TELEPHONE NUMBER 916.651.7284 | FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) agonzalez@treasurer.ca.gov |

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

 SIGNATURE OF AGENCY HEAD OR DESIGNEE

 TYPED NAME AND TITLE OF SIGNATORY
 Renee Webster-Hawkins, Executive Director

 DATE
 10/7/13

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ENDORSED APPROVED

OCT 07 2013

Office of Administrative Law

Title 4. Business Regulations
Division 11. California Pollution Control Financing Authority
Article 3. General Provisions Relating to Authority Actions

§ 8035.5 Equipment Only Bond Financing Program.

- (a) The Authority hereby establishes the Equipment Only Bond Financing Program to encourage bond financing for small businesses to meet their equipment purchasing needs.

In order to participate in the program, applicants must make the following covenants when they submit their request for financing:

- (1) Bonds must have a final maturity of 12 years or less.
 - (2) At least 90% of the net project fund of the proposed bond issue must be used to finance equipment, rolling stock and the like with expected economic lives of no more than 10 years. No real estate, improvements thereto, buildings or the like are eligible.
 - (3) Bond counsel and disclosure counsel fees are limited to \$45,000 collectively.
 - (4) Applicant's financing consultant fees are limited to 0.5% of par.
 - (5) Applicant's underwriter fees are limited to 0.7% of par.
 - (6) Applicant's counsel and co-counsel fees are limited to \$12,500 collectively.
- (b) The Authority will waive the fee as defined in §8035(a).
- (c) No more than \$20 million of bonds may be issued per borrower under this program.
- (d) The program will expire on December 31, 2014.

NOTE: Authority cited: Section 44520, Health and Safety Code.
Reference: Section 44548, Health and Safety Code.